

Notice of Allowability

Application No.	Applicant(s)	
09/701,288	RITTER ET AL.	
Examiner	Art Unit	
James S McClellan	3627	

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed on 12/8/04.
2. ☒ The allowed claim(s) is/are 1-25.
3. ☒ The drawings filed on 28 November 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

James S. McClellan
JAMES MCCLELLAN
PRIMARY EXAMINER
3/10/05

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Chien Yuan on 3/17/05.

Applicant's faxed amendment (3/18/05) to the Specification and Abstract has been entered.

REASONS FOR ALLOWANCE

2. The following is an examiner's statement of reasons for allowance:

In claim 11, Applicant requires a method for performing a transaction, wherein a transaction identification including a payment terminal identification is inputted into a mobile device. The terminal ID is extracted from the transaction ID and the transaction identification is contactlessly transmitted directly to the payment terminal. No single reference or combination of references anticipates or makes obvious Applicant's claimed invention. Each of the independent claims 1, 6 and 15 include limitations similar to the allowable subject matter set forth in claim 11. Griffith discloses a system and method for performing a wireless transaction using a mobile device. Griffith fails to disclose a direct communication between the mobile device and the payment terminal. Additionally, Griffith fails to disclose extracting a terminal ID from a transaction ID. Similarly, Emmoft et al. disclose a system and method for performing a wireless

Art Unit: 3627

transaction using a mobile device. Emmoft et al. fail to disclose a direct communication between the mobile device and the payment terminal. Additionally, Emmoft et al. fail to disclose extracting a terminal ID from a transaction ID. Therefore, claims 1-25 are allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.

WO 99/08238 is cited of interest for disclosing a portable information and transaction processing system and method utilizing biometric authorization and digital certificate security.

Asia Computer Weekly article, "Schlumberger EFTPOS Primed for Electronic Payments" is cited of interest for disclosing a wireless transaction point-of-sale transaction terminal.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jim McClellan whose telephone number is (703) 305-0212 until April 13, 2005. After April 13, 2005, please call (571) 272-6786. The examiner can normally be reached on Monday-Friday from 9:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Olszewski, can be reached at (703) 308-5183.

Art Unit: 3627

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

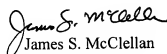
Any response to this action should be mailed to:

Commissioner of Patent and Trademarks
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or faxed to:

(703) 872-9306 (Official communications) or
(703) 746-3516 (Informal/Draft communications).

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive,
Arlington, VA, 7th floor receptionist.


James S. McClellan
Primary Examiner
A.U. 3627

jsm
March 18, 2005

**URGENT****Please deliver immediately at Examiner's request.**

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TO	Examiner James McClellan	18March2005
NAME	USPTO GAU:	DATE
COMPANY/FIRM		FAX#
NUMBER OF PAGES INCLUDING COVER	10	CONFIRM FAX: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
FROM	Chien Yuan	236083US6PCT
NAME		OUR REFERENCE
DIRECT PHONE #	703-412-3536	09/701,288
		YOUR REFERENCE

MESSAGE

Examiner McClellan,

Attached is a **COURTESY COPY** of the amendment and papers filed today, March 18, 2005, via fax-filing. The listing of **COURTESY COPIES** attached to this cover page are as follows:

- "Auto-Reply Facsimile Transmission" from the USPTO dated "3/18/2005 11:33 AM"
- our fax Transmittal copy of our fax-filing receipt indicating fax-filing "Mar.18, 2005 11:29AM"
- Copy of our fax-filing receipt
- Short Cover Letter (2 copies)
- Supplemental Amendment

Please contact Chien Yuan at 703-412-3536 if you have any questions.

Unless otherwise indicated or obvious from the nature of the transmittal, the information contained in this facsimile message is attorney privileged and confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error or are not sure whether it is privileged, please immediately notify us by telephone and return the original message to us at the above address via the U.S. Postal Service at our Expense. Thank You. COURTESY COPIES RECEIVED BY FAX ON 3/18/2005 1:06:25 PM

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MAR. 18. 2005 1:05PM

OBLON, SPIVAK

NO. 399 P. 3

P. 1

* * * COMMUNICATION RESULT REPORT (MAR. 18. 2005 11:31AM) * * *

FAX HEADER: OBLON, SPIVAK

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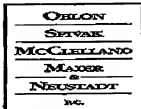
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OSMM&N File No. 236083186PCT

Serial No. 92701.288

In the matter of the Application of: *Radolf Bittner et al.*For: PAYMENT TRANSACTION METHOD AND PAYMENT TRANSACTION SYSTEMDept: *EM*
By: *JLK/CHY/psb*Due Date: *03/28*

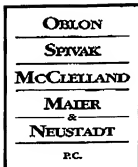
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on Date: 18 March 2005

Signature: *Peter C. Hardy*

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By: LUK/CHY/pch

OSMM&N File No. 236083US6PCT

Serial No. 09/701,288

In the matter of the Application of: Rudolf RUTTER, et al.

For: PAYMENT TRANSACTION METHOD AND PAYMENT TRANSACTION SYSTEM

Due Date: n/a

- Dep. Acct. Order Form
- Cover Letter
- Supplement Amendment

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Docket No.: 236083US6PCT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 09/701,288

Applicants: Rudolf RITTER, et al.

RCE FILING DATE: July 2, 2004

(Application Filing Date: November 28, 2000)

For: PAYMENT TRANSACTION METHOD AND
PAYMENT TRANSACTION SYSTEM

Group Art Unit: 3627

Examiner: McCLELLAN, James S.

SIR:

Attached hereto for filing are the following papers:

SUPPLEMENTAL AMENDMENT

Our check in the amount of 0.00 is not attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
James J. Kulbaski

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Docket No.: 236083US6PCT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 09/701,288
Applicants: Rudolf RITTER, et al.
RCE FILING DATE: July 2, 2004
(Application Filing Date: November 28, 2000)
For: PAYMENT TRANSACTION METHOD AND
PAYMENT TRANSACTION SYSTEM
Group Art Unit: 3627
Examiner: McCLELLAN, James S.



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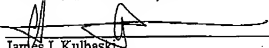
SIR:

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SUPPLEMENTAL AMENDMENT

Our check in the amount of 0.00 is not attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

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DOCKET NO: 236083US6PCT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
RUDOLF RITTER, ET AL. : EXAMINER: MCCLELLAN, JAMES S.
SERIAL NO: 09/701,288 : GROUP ART UNIT: 3627
RCE FILED: JULY 2, 2004 : (APPL. FILED: NOVEMBER 28, 2000)
FOR: PAYMENT TRANSACTION :
METHOD AND PAYMENT
TRANSACTION SYSTEM

SUPPLEMENTAL AMENDMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Further to the Amendment submitted on December 8, 2004, please amend the above-identified application as follows:

Amendments to the Specification begin on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.

Application No. 09/701,288
Supplemental Amendment

IN THE SPECIFICATION

Please insert before the paragraph beginning at page 1, line 3, the following headings:

BACKGROUND OF THE INVENTION

Field of the Invention

Please insert before the paragraph beginning at page 1, line 8, the following heading:

Discussion of the Background

Please insert before the paragraph beginning at page 2, line 12, the following heading:

BRIEF SUMMARY OF THE INVENTION

Please insert before the paragraph beginning at page 5, line 28, the following heading:

BRIEF DESCRIPTION OF THE DRAWINGS

Please insert before the paragraph beginning at page 6, line 3, the following heading:

DETAILED DESCRIPTION OF THE INVENTION

Please replace the Abstract in its entirety with the substitute Abstract shown in the following separate sheet:

Application No. 09/701,288
Supplemental Amendment

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ABSTRACT OF THE DISCLOSURE

Payment transaction method and payment transaction system in which payment transactions between customers with portable mobile devices $[(1)]$, for example mobile radio telephones, and a plurality of payment terminals $[(2)]$ are carried out at a service point $[(5)]$, the payment terminal $[(2)]$ responsible for a payment transaction informing a respective customer about the total transaction amount and the transaction identification of the payment transaction, the transaction identification comprising a payment terminal identification, the mobile device $[(1)]$ transmitting, via a contactless device interface $[(11)]$, the transaction identification, entered in the mobile device $[(1)]$ by the customer, to the payment terminal $[(2)]$, identified through the payment terminal identification, the payment terminal $[(2)]$ transmitting, after receipt of the transaction identification, a payment request comprising a service point ~~identification~~ identification, the payment terminal identification and the total transaction amount, via the contactless device interface $[(21)]$ to the mobile device $[(1)]$, and a payment record which comprises the payment request and a customer identification, being prepared in the mobile device $[(1)]$ and being transmitted from the mobile device $[(1)]$ via the contactless device interface $[(11)]$ to the payment terminal $[(2)]$. ~~(see Figure)~~

Application No. 09/701,288
Supplemental Amendment

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REMARKS/ARGUMENTS

Applicants note with appreciation Examiner James McClellan's indication in a telephone discussion on March 17, 2005, that the present application is in condition for allowance but for the lack of section headings in the specification.

In response to Examiner McClellan's comments, the specification is revised by the foregoing amendment to add standard specification headings. The foregoing amendment also amends the Abstract only to remove reference numerals, to remove a reference to the "sole Figure," and to correct a typographical error. No new subject matter is introduced by these amendments to the specification.

Consequently, in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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